

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 968 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

UNITED INDIA INSURANCE CO.LTD.

Versus

GOVINGBHAI GANDUBHAI RATHOD

Appearance:

MR DARSHAN M PARIKH for Appellant

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 29/04/97

ORAL JUDGEMENT

Shri Parikh makes a statement before this Court that the claim petition itself has been finally decided and the award has been made in favour of the claimants and the insurance company has also been held liable for the payment of the amount of compensation. The order impugned in this First Appeal is only an interim order made for the payment of the amount of no-fault liability as provided under sec.140 of the Motor Vehicles Act, 1988. This order has been merged in the final order.

In view of this fact, this appeal has become infructuous and the same is dismissed. However, it is open to the appellant to challenge the interim order impugned in the first appeal in the appeal, if any, filed against the final award.

zgs/-